United Nations CRPD/C/SR.236

Convention on the Rights of Persons with Disabilities

Distr.: General
7 April 2016

Original: English

Committee on the Rights of Persons with Disabilities
Fifteenth session

Summary record of the 236th meeting
Held at the Palais Wilson, Geneva, on Wednesday, 30 March 2016, at 3 p.m.

Chair: Ms. Cisternas Reyes

Contents

Consideration of reports submitted by parties to the Convention under article 35 (*continued*)

Initial report of Thailand

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Editing Unit, room E. 5108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.16-05274 (E) 040416 070416

1605274

Please recycle

The meeting was called to order at 3 p.m.

Consideration of reports submitted by parties to the Convention under article 35 (*continued*)

Initial report of Thailand (CRPD/C/THA/1; CRPD/C/THA/Q/1 and Add.1; HRI/CORE/THA/2012)

1. *At the invitation of the Chair, the delegation of Thailand took places at the Committee table.*

2. **Mr. Inthusut** (Thailand), introducing his country's initial report, said that Thailand had recently hosted the Third Session of the Working Group on the Asian and Pacific Decade of Persons with Disabilities 2013-2022, whose aim was to follow up on the implementation of the Incheon Strategy and the "Make the rights real!" campaign for persons with disabilities in the region. As at February 2016, the total number of persons with disabilities in Thailand who had registered with the Department of Empowerment of Persons with Disabilities was 1.5 million, representing 2.4 per cent of the total population; of those, nearly 50 per cent were over the age of 60. More persons with disabilities were being encouraged to register so that they could receive appropriate support and assistance from the Government, the private sector and civil society.

3. The paradigm shift from a charity-based to a rights-based and inclusive model of disability had taken place when the Persons with Disabilities Empowerment Act of 2007 had replaced earlier legislation. The 2007 Act had, in turn, been amended in 2013 so as to introduce new key policies and infrastructures, such as community-based rehabilitation, disability service centres and anti-discrimination mechanisms.

4. The National Committee on Empowerment of Persons with Disabilities served as the main national mechanism for decision-making, policy formulation and advocacy of the rights of persons with disabilities. The Committee was chaired by the Prime Minister and was represented by 11 ministries, 7 national organizations for persons with disabilities and 6 disability experts.

5. It should be noted that the initial report had been prepared with due regard to the Constitution of the Kingdom of Thailand of 2007; however, Thailand was currently involved in a process to reform its Constitution. A revised draft constitution, incorporating inputs from all sectors of society, including organizations for persons with disabilities, had been circulated to the public, and a referendum on its adoption was scheduled for early August 2016.

6. Following the enactment of the Civil Registration Act, in February 2015 Thailand had withdrawn the interpretative declaration it had made in respect of article 18 of the Convention. Accession to the Optional Protocol to the Convention was expected to receive Cabinet approval in April 2016.

7. Persons with disabilities had been included in the Eleventh National Economic and Social Development Plan (2012-2016) and the Third National Human Rights Plan (2014-2018). The objective of the Fourth National Plan on Empowerment of Persons with Disabilities was to enable persons with disabilities in Thailand to live independently in society with full and equal enjoyment of their rights. Thai citizens with disabilities could register for disability identification cards, which enabled them to apply for numerous benefits such as monthly disability allowances, medical rehabilitation services, assistive devices, free standard public transport, free compulsory education with financial support and interest-free loans for tertiary education. Registered persons with disabilities could also request services such as housing modifications, personal assistants and sign language

interpreters, which were provided through partnerships between government agencies, the private sector and civil society.

8. One major problem faced by Thailand was the fact that most persons with disabilities lived in outlying provinces and remote areas, which complicated the Government's efforts to ensure their full access to available services. In response to that problem, provincial subcommittees on the empowerment of persons with disabilities had been established in 77 provinces. The subcommittees drafted their own plans and projects, which were eligible for central government funding.

9. Thailand also faced significant challenges in achieving inclusive education, owing in part to insufficient early intervention, inadequate human and material resources and a shortage of assistive equipment in schools. Some 46 per cent of registered persons with disabilities received only elementary education and 43 per cent received no education at all. Not surprisingly, 46 per cent of registered persons with disabilities of working age were currently unemployed. The Government had introduced a quota system in 2008 that required private sector companies to employ one person with disability for every 100 persons they hired, and a similar system had been introduced in the public sector. Fines on non-compliant companies were paid to the Fund for the Empowerment of Persons with Disabilities. The Fund provided interest-free loans to entrepreneurs with disabilities and support to organizations of persons with disabilities, capacity-building activities and research on assistive devices.

10. Given that 45 per cent of disabilities in Thailand were due to preventable causes, the Government was focusing on preventive measures, such as early detection and treatment of disability, increased knowledge of essential nutrition and the organization of a road safety campaign. Thailand had recently ratified the International Labour Organization (ILO) Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), which was a key instrument for prevention efforts.

11. **Ms. Boonrat** (National Human Rights Commission of Thailand) said that, in its capacity as the independent monitoring mechanism of Thailand, the National Human Rights Commission had submitted an alternative report on the State party's implementation of the Convention. Her comments would therefore be limited to a few of the most critical issues for promoting the dignity and inclusion in society of persons with disabilities in Thailand.

12. One of the main areas of difficulty for persons with disabilities was education. Although relevant laws guaranteed them the right to a free education and to choose an educational system, model or institution that suited their special needs, interests and abilities, in practice persons with disabilities had few choices because schools were generally not well equipped to fulfil that guarantee.

13. In the area of medical rehabilitation, the services provided by public hospitals, and by some provincial hospitals in particular, were inadequate. Services for persons with mental and other non-motor impairments were generally lacking.

14. Efforts to prepare persons with disabilities for the labour market were inadequate and measures taken under the Persons with Disabilities Empowerment Act of 2007 had not substantially increased their employment rate. Problem areas included the need for business advice and access to credit for the many persons with disabilities who were entrepreneurs or self-employed; transportation to places of work, given the lack of accessible bus services and prohibitively expensive taxi fares; and the inadequacy of monthly disability allowances and financial assistance for families caring for a person with a disability. A more comprehensive support programme was therefore needed to prevent the abandonment of family members with disabilities or their placement in institutional care.

15. Persons with disabilities had expressed the desire to be more closely involved in the development of policies and programmes affecting them, in particular education, employment promotion and the management of the Fund for the Empowerment of Persons with Disabilities. There was a need for effective coordination among the many government agencies involved in implementing the Convention and monitoring the related activities. The Department of Empowerment of Persons with Disabilities, in its capacity as the Government's focal point for the Convention, should perform that role more rigorously.

16. In conclusion, the Government should consider allocating more resources to agencies responsible for education, medical rehabilitation, employment, accessibility and the provision of an adequate standard of living for persons with disabilities. It should see such allocations as an investment in the human resources of the country. The more inclusive the environment for persons with disabilities, the greater would be their sense of dignity and their contributions to the society in which they lived.

Articles 1-10

17. **Mr. Kim** Hyung Shik (Country Rapporteur) said that, although the State party's report reflected many positive legislative reforms, a key issue to be addressed was the need for better implementation and monitoring of those reforms. There was no question but that key reforms introduced by the Persons with Disabilities Empowerment Act of 2007, for example, required the support of a national action plan. Action was needed to address gaps in the implementation of laws on reasonable accommodation and critical areas of accessibility, such as public buildings, signage, and access to the Bangkok mass transit system. Better implementation was also needed for policies, programmes and affirmative action decisions, most notably those provided for in the Persons with Disabilities Empowerment Act that were designed to combat widespread discrimination against persons with disabilities.

18. The top-down approach to overall policy implementation was illustrated by the exclusion of women with disabilities from the National Committee on Empowerment of Persons with Disabilities and the limited role granted to organizations of persons with disabilities in establishing and running local disability service centres and in accessing and managing the Fund for the Empowerment of Persons with Disabilities. Other major problems to be addressed were the overreliance on the medical model of disability, the widespread practice of substitute decision-making, the sterilization of girls with intellectual disabilities as a standard practice and the limited educational opportunities and exploitation of persons with disabilities.

19. **Mr. Al-Tarawneh** asked what measures the State party was taking to remove architectural barriers in the built environment and social barriers that were reflected in people's attitudes, as well as to incorporate accessibility into public procurement systems, especially in the area of public transport. He wished to know whether a national accessibility plan had been developed; what human, financial and technical resources were allocated to it; and what level of implementation had been achieved since the ratification of the Convention.

20. **Mr. Ruskus** asked whether the State party intended to bring its definition of disability into line with the Convention and to tailor the support offered to persons with disabilities to their needs. It would be interesting to know whether there were any plans to involve persons with disabilities in the development and administration of support schemes. He also asked what measures were planned to ensure that reasonable accommodation was provided in the public sector, in particular for persons with intellectual or psychosocial disabilities in their dealings with the police and the courts.

21. **Ms. Degener** asked whether the Thai Government intended to include a focus on women and girls with disabilities in its policies and laws on gender issues. She also wondered whether it had any plans to cooperate with organizations of persons with disabilities to ensure that women and girls with disabilities were not overlooked by law- and policymakers.

22. **Mr. Tatić** said that he would appreciate information about the number and outcome of complaints of discrimination lodged by persons with disabilities with the wide range of agencies mentioned by the State party in its replies to the list of issues (CRPD/C/THA/Q/1/Add.1). Information on the human and financial resources of the Subcommittee on the Elimination of Unfair Discrimination against Persons with Disabilities, including its yearly budget, would also be welcome.

23. He wished to know how accessibility laws were enforced and whether there were any penalties for violations of those laws. In that connection, he requested an update on stalled efforts to implement a Supreme Administrative Court ruling to the effect that 20 of the Bangkok skytrain stations had to be made accessible to persons with disabilities. He asked what plans the Government had to ensure that its websites complied with the accessibility standards of the World Wide Web Consortium and, more generally, to implement the provisions of the Convention relating to the accessibility of information, communication and other services.

24. **Mr. Lovászy** said that he would appreciate information about the public funding of organizations of persons with disabilities in the State party. What principles were funding decisions based on, and how were funding priorities defined?

25. He would also welcome further information about the procedure for applying for assistive devices, the training of sign language interpreters, the support received by parents of deaf children and the steps taken by the State party to make captioning a more common media practice. The delegation should explain the procedure for obtaining a driving licence, in particular for the deaf.

26. **Ms. Quan-Chang** asked whether sufficient efforts were being made to ensure that people living in more remote areas were not left off the State party's register of persons with disabilities or deprived of documents attesting to their disabilities. She also asked whether the State party's anti-discrimination laws provided for action to combat the intersectional discrimination often faced by such groups as indigenous people or women with disabilities and what the Government was doing to support the families of children with disabilities. In view of what appeared to be the State party's medical approach to disability, she asked what was being done to foster respect for the rights and dignity of persons with disabilities.

27. **Mr. Langvad** said that he would welcome additional information on the State party's definition of persons with disabilities, who seemed to account for a remarkably small proportion of its population. He asked when the State party intended to double its support for organizations of persons with disabilities, what steps were being taken to amend the Persons with Disabilities Empowerment Act of 2007 to ensure that the denial of reasonable accommodation constituted an act of discrimination and, since the Constitution was being amended, what was being done to bring it into line with the Convention. He also wished to know what the authorities were doing to ensure that children with disabilities, especially intellectual disabilities, were not unjustly punished by parents who did not understand their children's disabilities.

28. **Ms. Peláez Narváez** asked what was the expected date of entry into force of the draft amendment to the Persons with Disabilities Empowerment Act, which established quotas for the number of women with disabilities on the National Committee on Empowerment of Persons with Disabilities and the respective disability-specific

subcommittees. She wondered whether there were any plans to expand the use of such quotas to bodies working on gender issues in general.

29. She wished to know what steps the State party was taking to ensure that its policies on adoption did not neglect the adoption of children with disabilities. She also wished to know what was being done to help women and children with disabilities seek justice when they were victims of abuse.

30. **Ms. Kingston** asked what steps were being taken to combat intersectional discrimination against the refugees living in camps along the border with Myanmar and to counter gender stereotyping in schoolbooks, the justice system and the mass media.

31. **Mr. Basharu** asked what specific steps the State party had taken to ensure that persons with disabilities living in rural areas had access to necessary services. He would welcome a brief account of how persons with disabilities were viewed in Thai society and how they were portrayed in the country's media. He would also appreciate information on the involvement of blind and deaf persons in awareness-raising activities.

32. **Mr. You** Liang said that he would welcome more detailed information on the accessibility of the Internet in Thailand. He asked what the State party was doing to harness the power of the Internet to promote the economic empowerment of persons with disabilities.

The meeting was suspended at 4.15 p.m. and resumed at 4.40 p.m.

33. **Mr. Charoen-Umnuaisuke** (Thailand) said that in Thai law persons with disabilities were understood to be persons whose daily activities or participation in society were limited by their impairment and who therefore required special assistance to lead their lives. Thailand was currently in the process of appointing the members of a subcommittee that would propose needed amendments to disability legislation, including a provision defining reasonable accommodation and specifying that denying it was a form of discrimination. For the past two years, there had been considerable discussion, which had involved organizations of persons with disabilities and other stakeholders, of the need to amend that legislation. In principle, the Government supported proposed amendments that were compatible with its obligations under the Convention.

34. The National Committee on Empowerment of Persons with Disabilities had a subcommittee which was authorized to receive complaints. Most complaints involved allegations of discriminatory practices by employers, in both the private and the public sector. Another subcommittee handled requests for legal aid.

35. Since 2012, the Subcommittee on the Elimination of Unfair Discrimination against Persons with Disabilities had received 28 complaints concerning discrimination in relation to legal contracts, employment in both the public and the private sector, education and domestic violence. Seven of the complainants had physical disabilities, nine had unidentified disabilities, nine had visual disabilities, two had hearing and communication disabilities and one had a behavioural disability. The Department of Empowerment of Persons with Disabilities had provided financial support, free legal aid and sign language interpreters in those cases. Persons with disabilities could also file complaints directly with the police, homes for persons with disabilities, hospitals, disability service centres and the National Human Rights Commission, among others. The Ministry of Social Development and Human Security's 1300 helpline took calls for urgent assistance or information from persons with disabilities. Only one complaint had been filed with the National Human Rights Commission: in 2011, a provincial land reform office had refused to issue a land title document to a person with a disability because it had interpreted its regulations to mean that farmers with disabilities were not eligible to utilize public reform land. The

National Human Rights Commission had concluded that it was a case of discrimination on the ground of disability and the office had amended its regulations.

36. Thailand recognized the importance of access to justice for persons with disabilities. Despite the lack of specific legislation, there had been cases in which the courts had established precedents to protect persons with disabilities from discrimination. For example, in 2012, the Constitutional Court had ruled that the regulations barring persons with disabilities from being judges and civil servants were unconstitutional and inconsistent with article 27, paragraph 1 (a), of the Convention, and the regulations had subsequently been amended. Several hundred sign language interpreters had registered and been trained to provide services to persons with disabilities nationwide. Real-time sign language interpretation services were also available to persons with hearing disabilities through the Thai Telecommunications Relay System, run by the national telecommunications authority and an international NGO. In 2015, 120 sign language interpretation booths had been installed nationwide, mostly in provincial hospitals, and there were plans to add 60 more in 2016.

37. **Dr. Suvapan** (Thailand) said that the definition of disability in the Persons with Disabilities Empowerment Act was in line with that of the World Health Organization's International Classification of Functioning, Disability and Health and the psychosocial model. The discrepancy in the estimated number of persons with disabilities between the World Health Organization and national statistics was due to the fact that many persons with disabilities, including persons with mental or intellectual disabilities, were unable to register their disability or had difficulties with the procedure. Many parents were also reluctant to register their child because of the stigma surrounding disability. There was a need to ensure that newly qualified doctors were properly trained on the definition of disability under the Persons with Disabilities Empowerment Act and the disability registration procedure. It was also necessary to ensure the availability of sufficient specialized personnel, such as audiologists, to register disabilities. The Government was aware of the need to focus more on the social model rather than the medical model in assessing disability.

38. **Mr. Muntarbhorn** (Thailand) said that the twentieth Thai Constitution was under preparation, but that the 2014 interim Constitution was in force in the meantime. The 2007 Constitution had introduced the principle of non-discrimination on the ground of disability. The draft of the new Constitution, which had been approved just the day before and would be put to a referendum in August 2016, included various provisions on disability: section 27 prohibited discrimination on 13 grounds, including disability, while section 71 referred to policies to respond to the special needs of persons with disabilities. Some NGOs had called for further references to persons with disabilities in the draft, and that possibility remained open. Section 15, paragraph 1, of the Persons with Disabilities Empowerment Act explicitly prohibited discrimination by government agencies, private individuals or others, and paragraph 2 defined discrimination as acts or omissions, whether intentional or not, that resulted in disadvantage or the loss of rights of persons with disabilities. It was true that paragraph 3 of section 15 provided for an exception to the principle of non-discrimination for reasons of custom or tradition or in the public interest, but only when necessary and on a case-by-case basis. That provision had been criticized by NGOs and the authorities were aware that it might need to be amended to reflect a more holistic concept of non-discrimination. Under the Act, cases of discrimination could be brought before the courts, which could award punitive or aggravated damages up to four times higher than the actual prejudice suffered. A bill to amend the Act was currently being drafted.

39. With regard to the Bangkok Transport System (BTS) case, in January 2015 the Supreme Administrative Court had ordered the Bangkok Metropolitan Administration and the BTS to install elevators and accessible facilities at all stations, amounting to 56

elevators at 19 stations for a total cost of US$ 6.6 million. The Department of Empowerment of Persons with Disabilities had cooperated with organizations of persons with disabilities and other stakeholders in following up the case. Construction work was under way but running behind schedule; all of the elevators were expected to be installed by September 2016. To compensate for the delay, the Bangkok Metropolitan Administration had extended the coverage of free taxi services for persons with disabilities for five additional years.

40. **Ms. Limmanee** (Thailand) said that the Government recognized the intersectional discrimination faced by women and girls with disabilities. The Gender Equality Act 2015 provided for the protection of all women, including women with disabilities, from gender-based discrimination. The Women's Development Plan 2012-2016 aimed to promote the rights of women, with a focus on education and job training, particularly for underprivileged women, women with disabilities and women from ethnic minorities. The first Strategic Plan for Empowerment of Women with Disabilities 2013-2016 aimed to ensure equal rights, eliminate discrimination, develop health and quality of life, enhance participation in many spheres of society and promote a positive attitude towards women and girls with disabilities. In 2015, the Fund for the Empowerment of Persons with Disabilities had provided support to 65 projects in 63 provinces and to 21 organizations of persons with disabilities carrying out projects for women with disabilities, including training on the reproductive rights of women with disabilities and the elimination of violence against women and girls with disabilities. The National Education Act guaranteed that all children, including girls with disabilities, had an equal right to receive 12 years of basic education free of charge, while the Education for Persons with Disabilities Act ensured equal access to education and vocational training for all persons with disabilities.

41. In the area of employment, women with disabilities benefited from the quota system — a 1:100 ratio — for the employment of persons with disabilities and had access to interest-free loans for entrepreneurs with disabilities. The Department of Empowerment of Persons with Disabilities jointly organized workshops with other agencies to raise awareness of the issues of violence and abuse against women and girls with disabilities. There were currently no female members of the National Committee on Empowerment of Persons with Disabilities, although there were some at the subcommittee level. One of the proposed amendments to the Persons with Disabilities Empowerment Act was the introduction of a quota for women with disabilities on the Committee. Women with disabilities were represented in the working group on the amendment of the Act. There were no women with disabilities in parliament, but a support system was in place to encourage women with disabilities to participate more actively in political life. A national plan for empowerment of women with disabilities was currently being drafted, and women with disabilities were involved at all stages, both individually and through their representative organizations.

42. **Ms. Rachatanantikul** (Thailand) said that the annual budget for persons with disabilities, allocated to 17 agencies, was approximately US$ 27 million, which represented about 1 per cent of the total national budget, although the Government planned to increase it gradually. For example, in 2015, the disability allowance had been increased from US$ 14 to more than US$ 20 per month. Of the overall budget set aside for improving social welfare, over 50 per cent was allocated for persons with disabilities and older persons; older persons with disabilities received both allowances. Budgetary provision was also made for improving infrastructure and public services for persons with disabilities, such as the modification of homes to improve access and the provision of sign language interpretation and personal assistants. The Government was setting up an institute of technology with the aim of fostering innovation to improve the well-being of persons with disabilities.

43. A total of US$ 265 million had been allocated under the 2015 budget for the employment of persons with physical and mental disabilities. In the fiscal year 2015 the Fund for the Empowerment of Persons with Disabilities had approved loans totalling US$ 14 million, of which 49 per cent had been allocated to persons with disabilities in a variety of sectors, including agriculture and services. In addition, US$ 11 million had been allocated to 500 projects proposed by 371 private agencies and organizations of persons with disabilities. Persons with disabilities in remote areas also benefited from the Fund through provincial subcommittees.

44. The National Committee on Empowerment of Persons with Disabilities was testing diverse fund management models. The first was designed to enhance the efficiency of persons with disabilities through educational, social and health-care support and empowerment. The second model was based on support services for independent living. The third focused on empowerment through disability service centres and networks. The fourth served as a database on persons with disabilities at the national and local level. The fifth model was a monitoring and evaluation mechanism.

45. The National Committee was chaired by the Prime Minister and composed of representatives of 11 government agencies and 7 organizations of persons with disabilities. Its members also included six disability experts who were nominated by the Ministry of Social Development and Human Security and appointed by the Prime Minister. The Committee met at least three times a year.

46. Thailand was a party to the Convention on the Rights of the Child and all three of its Optional Protocols. The National Child and Youth Development Plan (2012-2016) identified measures to protect children with disabilities.

47. **Ms. Boonsombat** (Thailand) said that her country implemented many programmes aimed at promoting positive public attitudes to persons with disabilities. A workshop on disability and equality training was held each year for government officials, stakeholders and the general public to promote understanding and eliminate stereotypes and stigmatization.

48. Persons with disabilities were invited to participate in television programmes to demonstrate their achievements and advances in independent living. The Ministry of Information and Communication Technology had issued regulations in 2011 setting forth criteria and procedures for ensuring access to telecommunication and media services and assistive technologies for persons with disabilities. The National Broadcasting and Telecommunications Commission had recently issued an announcement on the right of persons with disabilities to access information and to benefit from television programmes. Television channels would be required to provide sign language, closed captioning and audio description services. The Ministry had urged government agencies to develop accessible websites and had produced the Thai Web Content Accessibility Guidelines. The Ministry of Information and Communication Technology had also established ICT learning centres for people who found it difficult to access information.

49. Several laws and regulations, such as the Persons with Disabilities Empowerment Act, promoted accessibility to public buildings for persons with disabilities. Ministerial guidelines on accessibility services had also been issued in 2012 and 2013. All government agencies were required to provide an accessible environment. According to the Department of Empowerment of Persons with Disabilities, there were currently about 8,500 accessible toilets, 9,400 accessible ramps, 6,700 accessible parking spaces and 9,000 accessible information services in such agencies.

50. The Ministry of Transport and Communications was renovating public areas with a view to providing an accessible environment in line with universal design standards. The

first phase involving areas such as bus stations, bus stops, railway stations and airports was due to be completed in August 2016.

51. The Ministry of Education had allocated a budget of about 6 million baht for the production of accessible learning materials for students with disabilities with a view to supporting their inclusion in mainstream education. In addition, more than 600 teachers and students had been trained by the National Electronics and Computer Technology Centre in 2015.

Articles 11-20

52. **Ms. Quan-Chang** said that the Committee had been informed of specific cases in which women with disabilities who had been subjected to violence, in many cases of a sexual nature, had been denied access to legal support because of various physical, informational and financial barriers. She asked whether the State party had developed strategies to provide protection against violence for persons with disabilities, particularly women, children, persons living in remote areas, and persons belonging to different ethnic groups.

53. She enquired about action to regulate the legal status of persons living in refugee camps, most of whom were from Myanmar. She wished to know, in particular, whether persons with disabilities were issued a disability card guaranteeing access to basic services.

54. **Mr. Tatić** said that he would welcome additional information on the accessibility of judicial buildings such as courts and on access to information, for instance through Braille versions of documents, during legal proceedings. He also enquired about sign language interpretation in administrative, civil and criminal proceedings.

55. He asked whether persons with disabilities received financial support for the purpose of hiring a personal assistant and whether there was a specific curriculum for people who were trained to serve as personal assistants.

56. **Mr. Langvad** asked whether organizations of persons with disabilities were actively involved in the development of disaster risk reduction policies.

57. **Ms. Peláez Narváez**, noting that the Committee on the Rights of the Child had expressed concern about sexual exploitation and trafficking of children (CRC/C/THA/CO/3-4), asked whether the impact of such situations on the children concerned was a potential cause of disability.

58. **Ms. Kingston** asked whether measures were being taken to include persons with disabilities, particularly deaf people, in national emergency protocols.

59. She requested additional information on the number of women and girls, especially those with intellectual or psychosocial disabilities, who were subjected to trafficking and about the preventive measures taken by the State party.

60. She enquired about the number of women who were subjected to forced sterilization and asked whether sterilized women could seek compensation.

61. **Mr. You** Liang noted that institutionalized care for children with disabilities, including special schools and boarding schools, still existed in the State party. He asked whether there was any time frame for shifting to an inclusive community-based or family-based model and inclusive education.

62. **Ms. Degener** asked whether steps had been taken to review laws, for instance on guardianship or mental health, that violated article 12 of the Convention and the Committee's general comment No. 1.

63. She also wished to know whether action had been taken against laws and practices of involuntary institutionalization on grounds of impairment.

64. **Mr. Basharu** noted that persons with disabilities were entitled under section 152 of the Constitution to representation by a disability expert in the formulation of any laws that would affect them. He asked how such disability experts were defined and whether persons with disabilities and their representative organizations were deemed to lack the capacity to formulate laws themselves. Section 20 of the Persons with Disabilities Empowerment Act, which encouraged the participation of persons with disabilities in an inclusive society, seemed to contradict section 152 of the Constitution.

65. **Mr. Lovászy** said that he wished to be informed about the funding of disaster management and about warning tools and devices that were tailored to the needs of persons with disabilities. He asked whether such support was also provided to private companies.

66. He enquired whether persons with disabilities, particularly deaf persons, had access to free or supported legal aid with a view to filing lawsuits in cases where the rights enshrined in the Convention had been violated.

67. **Mr. Pyaneandee** said that section 15 of the Persons with Disabilities Empowerment Act breached the State party's general obligations under the Convention, including article 4 (5). He asked whether there were any plans to repeal the section.

68. With regard to access to justice, he noted with concern that only 28 complaints had been received to date.

69. **Mr. Kim** Hyung Shik asked how the State party proposed to address the complex documentation problems associated with the issue of disability cards. In particular, what steps were being taken to protect the rights of undocumented citizens with disabilities?

70. **The Chair** said that information should be provided about the security measures applicable to a person with an intellectual or psychosocial disability who was suspected of having committed a criminal offence and declared unfit to stand trial.

71. She enquired about the procedures for implementing the recommendations made by the National Human Rights Commission of Thailand.

The meeting rose at 6 p.m.